



# Common European Election Programme



Draft



## **Document Forward**

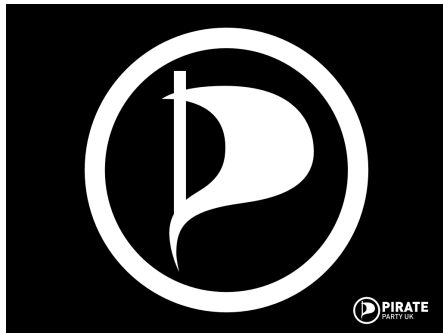
Over the past few months, Pirates from around Europe have been working together to produce a set of policies that are common across the Pirate Parties contesting European Parliament elections in May. This document is the result of that negotiation process, we are referring to it as the 'Common European Election Programme' (CEEP).

Once the Common European Election Programme has been adopted by the parties, it will form a cornerstone in the European election campaign.

The CEEP is not a full manifesto for our European Parliament election campaigns. The programme acts a common base upon which we will add our own policies that are right for the UK and the constituents that we wish to represent.

As the CEEP contains policy details, we are asking you, the membership, to decide whether or not we should adopt the programme.

## Introduction



The Pirate movement is still relatively young, having started just 7 years ago in Sweden. We don't yet have the armies of volunteers, financial backers or media visibility that the largest political parties have. As a result it is vital that Pirates cooperate and share what we do have with Pirates from all across Europe to help magnify our presence and make sure that our policies and ideas are heard by the electorate.

Having a shared, common programme allows European Pirates to work together more effectively. We will be able to speak with a single voice on our core issues but ensure that each individual party is able to present its own views to their own national electorate. This document ensures that we can serve the people we hope to represent and also work together toward a common cause.

We know that although the European elections should focus on European issues, each party in each member state has its own priorities and interests to deal with and that while we are all part of the same movement, we can have different ideas.

The upcoming European Parliament elections are an important opportunity. This is our chance to democratically shape the future of the European Union. The next five years will be vital in securing our civil liberties, ensuring that the Union becomes more transparent, opening up secretive treaties and achieving reform to copyrights and patents. To make the most of this opportunity we need to work together in the areas where we agree.

I believe that the Common European Election Programme is an important part of the Pirate movement's vision for Europe, and I strongly recommend that you vote to adopt the CEEP as policy for the upcoming election.

**Jack Allnutt**

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## **Preamble**

Today's European Union as a supranational institution is a project of its member states rather than of its citizens.

PIRATES believe that Europe should be organised in the common interest of all European citizens, as well as the interests of member states.

PIRATES in the European Union have adopted this election programme and strive together to make our vision for the Union a reality.

The democratic deficit within the European Union has existed since its formation and has not been sufficiently addressed in the course of the integration process.

An important goal of all PIRATES is to build a solid democratic foundation for the Union. In order to achieve that goal it is crucial to ensure that political processes are more citizen friendly. Together we must encourage the development of a common European space for culture, politics and society, and protect the existing rich and diverse cultures that exist within the Union.

The EU must live up to its own principles on subsidiarity. Decisions should not be taken at an EU level if they can be better resolved on a national, regional or local level. Equal and easy access to communication and an informed citizenry are basic requirements in legitimate democratic decision making. Political decisions at the European level need to be preceded by Europe-wide debate and allow for the adequate participation of all.

PIRATES strongly believe that all people have the right to fair and equal treatment. It is essential that society respect the rights of minorities. We will stand against discrimination of any kind and oppose movements that act against Human Rights.

The Internet as a medium of communication offers tremendous opportunities for political development, overcoming top-down, one-way communication. PIRATES will therefore defend the freedom of the Internet with fierce determination at the European level as well as on the global scale.

## **Citizen Participation and Open Government**

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### **Democracy Add-On for Europe**

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PIRATES demand the writing of a new European Union treaty designed to clarify and replace current treaties and address the need for democratic reform within the Union, provided it is accepted by the citizens of the Union through a referendum.

The present EU legislative process is dominated by the executive branch (the European Commission) at the expense of the legislative branch (the European Parliament). PIRATES seek an adjustment to the balance of power in European Institutions to favour the legislative branch.

Changes to EU primary legislation (e.g. a treaty) must only come into effect if a majority of EU citizens approve the changes in a simultaneous vote across the EU, in addition to the current requirement of agreement at the governmental level. The EU executive must see to it that these votes can be conducted even on short notice.

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### **Removal of Unfair Barriers to Political Participation**

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PIRATES want citizens to be able to have a more direct and larger impact in the policy debate and decision making process, both individually and collectively. We therefore demand the removal of unfair barriers to the participation of new political parties in elections, such as the requirement to collect a burdensome number of signatures.

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### **Better direct citizen participation**

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PIRATES strive for a common standard for citizen initiatives at local, regional, national and European levels. To empower citizens, we want citizen initiatives that can modify constitutions, laws, etc. to always be followed by a referendum if not approved by the legislature.

## Transparency

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### Disclosure of influence on political decisions

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PIRATES call for the disclosure of the influence of interest groups and lobbyists on political decisions to protect the democratic process and to make the basis of decisions transparent.

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### Whistle-blower Protection Law.

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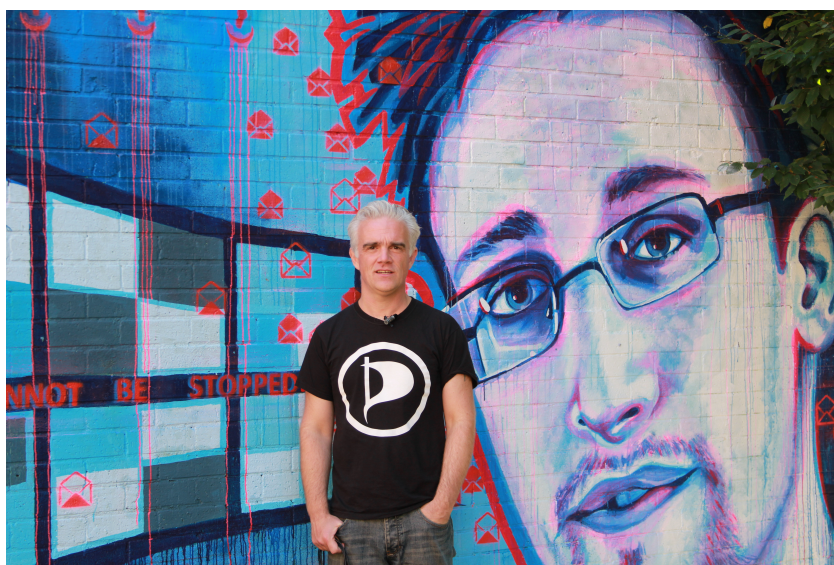
PIRATES advocate for general and comprehensive legislation to protect persons who expose issues that are in the public interest, such as cases of corruption, insider trading, or ethics or human rights violations (“whistle-blowers”).

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### Transparency of the Public Sector

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The public sector, including private entities carrying out work on behalf of a public body, must be transparent. PIRATES believe that it is a fundamental right of citizens to inspect, without the need for any specific justification, all contracts or financial benefits related to the delivery of public sector or government projects and services.



## **Protection of Privacy & Civil Rights**

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### **Data Protection and Surveillance**

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#### **Security in Freedom**

The expansion of our civil rights, and protection of our freedom is a primary motivation for PIRATES.

The threat posed by unlawful and excessive surveillance measures, imposed on us by governments both foreign and domestic, whether in response to terrorism or other threats is grave. There is an immediate need for action to redress the balance and restore our privacy.

#### **Ensure everyone's privacy**

Europeans have a proud history of fighting for their fundamental rights and the freedoms of their fellow citizens.

To preserve our rights and freedoms, and to ensure the effectiveness of law enforcement, PIRATES demand that data collection and monitoring is only targeted at people who are suspected of committing or preparing a crime and only with judicial approval and oversight.

Adequate protection against crime is an important responsibility of the state. We must ensure this responsibility is fulfilled through an intelligent, rational and evidence-based security policy.

We wish to abolish the practice of routine, automated and untargeted data collection, storage and matching.

Anyone subject to state surveillance should be informed of these facts in due time to safeguard against abuse.

#### **Data Protection**

PIRATES seek the abolishment of the European Data Retention Directive

Everyone must have a right to know which rules govern the collection of personal information, the maximum storage time and retention policies.

## *Protection of Privacy & Civil Rights*

PIRATES oppose the exchange of any personal data without good reason within, or outside of the EU. This would include the transfer of passenger and payment data to third countries such as the USA, proposed Eurosur data and the exchange of data from national police databases. The delivery of personal data to countries without effective protection of fundamental rights must be prohibited.

PIRATES reject the introduction of compulsory monitoring and reporting devices, such as "smart meters".

PIRATES want to enforce strict standards for any industrial systems automatically processing personal or private information (such as access control systems) essentially making those systems open source, publicly documented and peer-reviewed.

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## Systematic evaluation of existing surveillance powers and programs

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### **Prohibit mass surveillance**

Public spaces are full of cameras that monitor the movement of people and vehicles, track faces, and combine this information without considering the potential for the erosion of privacy. The data shows that the presence of such systems has little effect on the rate of crime and that, at best, criminality simply shifts to other spaces. PIRATES support and would prioritise the movement of police personnel from monitoring duties, to patrolling the streets.



## **Prohibition of electronic spying and collection of biometric data**

Routine checks must not unreasonably interfere with privacy. We reject the use of electronic "nude" scanners due their detrimental impact on human dignity, the collection of communications content and metadata, the perusal of private data on electronic devices and other similar invasive procedures. We oppose the collection of biometric data from innocent people and its storage in central databases.

## **Stop new monitoring plans**

PIRATES want to stop the progressive dismantling of civil rights, that has taken on dramatic proportions in recent history. To ensure our safety, we do not need new laws, existing laws are sufficient.

In particular we reject:

- The disclosure and retention of data from electronic passenger records when travelling in the EU by monitoring authorities ("EU PNR");
- automated profiling of people to divide them into risk categories ("profiling"), or other mass data analysis;
- the EU-US agreement on data ("safe harbour").

## **Fundamental rights "stamp" for new safety measures**

PIRATES want the European Fundamental Rights Agency to systematically examine all current and future security programmes of the EU. The approach of the security agencies of the EU must be reviewed on the basis of evidence, to avoid adverse side effects and examine alternatives and ensure compatibility with our fundamental rights. We must ensure that the European Agency for Fundamental Rights has the relevant powers to accomplish this task.

PIRATES advocate a moratorium on any further interference with our human rights by the security agencies of the EU in the name of internal security until the systematic review of existing powers by the FRA is complete.

## **Security Research and Monitoring Software**

PIRATES support the funding of research through the EU, however the frequent involvement of government agencies in surveillance and filtering operations like INDECT and CleanIT demonstrates a clear intention to use such technologies in a way which makes them publicly funded tools for dismantling civil rights. We therefore argue that the EU must not fund technologies that limit fundamental rights.



## European Data Protection Regulation With a High Level of Data Protection

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The emerging EU Data Protection Regulation should not lead to a lowering of data protection standards, but must strengthen the rights of European citizens in all European countries. It must not be possible for companies operating in the EU to escape effective supervision and control, for example Facebook in Ireland must not be able to circumvent Data Protection regulations.

Metadata created as a side effect of using complex information systems must also be considered personal data. A mechanism to request a list of third parties accessing a persons data must exist and be comparable to the method which was used for expressing consent in the first place. Even where consent for the exchange of personal data has been given, the person affected by the trade of data must not be denied access to the summary of all the data passed to any third party.

The use of personal data for data trade, advertising or market or opinion research must be allowed only with the active and informed consent of the person concerned.

The direct access to personal data and live communication of European citizens and businesses on the Internet by intelligence agencies clearly shows that there is a great need for action at the international level. Here PIRATES want to take measures to protect personal data, the privacy of citizens and their free development of personality and to prevent industrial espionage in the future.

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## Ban indiscriminate personal identifications in public spaces

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PIRATES are against individuals being required to identify themselves if they are not suspected of committing a crime, especially when they are exercising their rights to protest or assemble. If anyone can be targeted in a demonstration or in the expression of their views then freedom of expression is endangered.

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## Refugee policy

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The European approach to asylum and refugees must be based on the acknowledgement of human rights and fully respect the Geneva Convention on Refugees and the UN Convention on the Rights of the Child.



## Protection of Privacy & Civil Rights

EU neighbourhood policy and EU development policy should be geared towards lasting improvement of living conditions and focus on the promotion of

human rights in all partner countries and regions. We denounce all tendencies to create a repressive apparatus of survey and control in Europe.



## Copyright

PIRATES want a fair and balanced copyright law based on the interests of society as a whole.

We strive for the abolition of information monopolies. The European Union has given in to a series of demands to introduce information monopolies that are supposedly designed to motivate creators and inventors to produce more works. In reality the only beneficiaries of the monopolies are huge corporations, while the market as a whole is failing. This market failure is apparent by the frequent bullying of individuals and Small and Medium Enterprises by collecting societies and the loss of orphan works to society. Our goal is to create an environment where the motivation to create goes hand in hand with freedom of information.

Improved public availability of information, knowledge and culture is a prerequisite for the social, technological and economic development of our society. PIRATES therefore demand that copying, storing, using and providing access to literary and artistic works for non-commercial purposes must not only be legalised but protected by law and actively promoted. Everyone shall be able to enjoy and share our cultural heritage free from the threat of legal action or censorship.

The commercial monopoly given by copyright should be restored to a reasonable term. Derivative works shall always be permitted, with exceptions that are very specifically enumerated in law with minimal room for interpretation.

The Internet as a medium should know no borders. PIRATES consider artificial national barriers for cultural goods a hindrance to the European internal market and demand their abolishment. A change of approach is required in the area of rights to intangible goods and their respective enforcement practices.

Further monopolies in the sectors of information and culture have to be prevented. By law, the state should only allow or maintain monopoly rights for intangible goods if these are in the public interest. Any monopoly rights must be temporally limited, neither their time-span nor their scope may be expanded retrospectively.

The creation of commons, such as free software, free cultural goods, open patent pools and free and open educational material, must be promoted and legally protected.

Social life, increasingly taking place in digital spaces, must not be restricted by monopoly rights over intangible goods. The introduction of "fair use" regulations will ensure that social interactions remain unencumbered.

European collecting societies must ensure comprehensive transparency, fair participatory rights for their members and fairer contract terms for artists.

## Free Software, Free Culture and Free Knowledge

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### Free Software

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PIRATES support the promotion of software that can be used, analysed, disseminated and modified by anyone. Free/Libre Open Source Software is essential for users' control of their own technical systems and provides a significant contribution to strengthening the autonomy and privacy of all users.

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### Mandatory use of free software in public administration

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PIRATES think citizens' data must be processed, managed and secured with free software tools wherever possible. Proprietary software may only be used as long as free software cannot effectively be used or created for that specific purpose.

Free software reduces administrative costs, promotes local technical support and increases the ability to identify malicious code. We will drive the migration of the public sector to free software so that there is no longer a dependency on specific suppliers.

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### Free Culture

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Free culture is an important resource for the education and creativity of society. PIRATES strive to promote artistic activity and cultural diversity to ensure a rich educational and artistic environment for current and future generations.

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### Free Knowledge and Education

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PIRATES believe that the free flow of knowledge and information is essential and must be promoted and guaranteed in education. Educational institutions should increasingly use learning resources available under free licenses where there are no restrictions on copying..

Technological progress creates new opportunities to share and develop knowledge and learning concepts internationally. To capitalise on these opportunities, we are committed to the development and support of free and open educational materials.

The availability of educational media under free licenses to all is essential for barrier-free access to education, both within and beyond the borders of the EU.

PIRATES see innovation as the key to the development of our cultural and intellectual wealth. We support educating citizens and students about their right to information and about free formats and software in all types of educational facilities.

PIRATES support the digitisation and publication of documents stored in public libraries and archives across the EU.

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## Promotion of the Commons

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PIRATES will work towards adopting provisions in trade agreements which support the use and development of open formats and Free/Libre Open Source Software and promote the mutual recognition of licence models like Creative Commons.

## **Open Access and Open Data**

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### **Open Access**

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The results of any research funded, in whole or in part, by public money must be published in open access scientific journals or by other means which make them readily accessible to the general population for free.

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### **Open Data**

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All data created for public use, regardless of origin, should be freely available to the general public, as long as personal details are not revealed without the consent of the concerned individuals. Such data shall be made available in an appropriate form, which shall also include a form for data processing. Access must not be limited by fees, licenses or excessive application procedures or technical means.

PIRATES strive for a Freedom of Information Act at the EU level that shall abolish critical aspects of the current EU regulation that act as barriers for access to information, such as the definition of “document” and the time limit for appeal.

## Patents

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### Patents in the Information Age

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Patents function as a deterrent to innovation rather than as an incentive. The patenting of knowledge in areas like genetics and biotechnology, as well as software, renders it a tangible threat to the future of our society.

Monopolies on plants and seeds and costly legal disputes about often trivial patents already demonstrate how it is both innovators and consumers who have to pay the price. Patent law needs to be reformed or replaced with an approach that enables freer and fairer markets instead of continuing to further stifle innovation.

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### Rebalancing Patents with the Common Good

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PIRATES believe that patents do not exist to allow big businesses to stifle competition with an ever-growing tide of trivial and overreaching patents.

We therefore want to halt the continued and increasing abuse of patents.

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### Patents in the Information Society

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Economic success in the information society is no longer just dependent on technological inventions, but on the development of knowledge and sharing of information. The effort to regulate these factors, now, via the patent system is diametrically opposed to our demand for freedom of knowledge and human culture.

Patents should never be granted for "inventions" that are trivial, non-substantial, computer programs, business models or works of nature. These types of patent impede the development of an information society and result in the privatisation of the commons. Small and medium IT companies throughout Europe prove that patents on software are no prerequisite to economic success. Innovation must be fairly rewarded, but this does not necessarily require the granting of monopolistic privileges that stifle innovation and negatively affect the access to essential goods.

## Patents

The EU, its member states and other industrialised countries should not force less developed countries to accept patent provisions that are likely to be detrimental to their essential needs, health, education or development opportunities.

Universities and research institutes should be able to carry out scientific research for health and medicine without being encumbered by patents.

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### Patents, Medicines and Health

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PIRATES oppose the frequent abuses of patent privileges, such as introducing spurious changes to medicines with expiring patent protection. Uncompetitive practices such as paying competitors in order to delay the marketing of generics should be actively prevented.

We support the establishment and funding of alternative methods to incentivise pharmaceutical innovation, to progressively replace patents in this area. It is our aim to break the direct link between the reward for advances and the price of the end product to ensure medicines are affordable for all.

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### International Regulation of Intellectual Monopolies

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PIRATES strive for a revision of the TRIPS Agreement in favour of restricting exclusive rights on intangible goods. We would aim for similar restrictions to apply to all trade agreements which may include similar or even more far-reaching regulations on patents and copyright.



## International Trade Policy

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### Principles for Trade Agreements

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PIRATES stipulate that in all negotiations of the European Union on trade agreements the following conditions must be met:

- Stronger participation of the European Parliament;
- comprehensive access to information and public hearings;
- respect for self determination and privacy; and
- the interests of small and medium-sized enterprises must be taken into account.

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### Stronger participation by the European Parliament

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Trade agreements contain political decisions that are important and difficult to change after they are adopted. Therefore, the European Parliament, the only body in the EU that has a direct democratic mandate, should have equal rights to the European Commission when dealing with trade policies.

The European Parliament via its Committee on International Trade (INTA) should participate as an equal partner of the European Commission in negotiations of trade agreements.



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### Comprehensive access to information and public hearings

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All documents concerning the negotiations of trade agreements should be made available to the European Parliament as well as to the public. All negotiations and hearings with stakeholders should be conducted in public. We demand that all results of consultations, especially submissions by stakeholders, must be published promptly and in full.

## Respect for privacy and self determination

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PIRATES consider the right to privacy and self-determination of the people as self-evident. Therefore they also need to be respected and promoted in the context of trade agreements.

As these principles apply to all people, the EU has to make sure that trade agreements will not allow their trading partners to breach them.

## The interests of small and medium-sized enterprises must be taken into account

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At the moment trade agreements mainly take into account the interests of global enterprises, while small and medium-sized companies rarely benefit; Small and Medium Enterprises are increasingly ousted from the market. We want to change that.

## Net Policy

The digital revolution has changed social and economic structures throughout Europe; free and equal access to the internet is now a basic requirement for participation in civil society.

Citizens should have the option to access the Internet anonymously.

PIRATES wish to include the right of “digital participation” in the European Charter of Fundamental Rights.

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### Net Neutrality

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The principle of network neutrality must become European law to ensure strong incentives for investment, fair competition and equal treatment of everybody in the digital space.

Everyone must be able to have access to an Internet connection that does not discriminate against any service or competitor. Traffic management measures shall only be allowed in exceptional circumstances, operated in a clear and transparent manner and only for technical reasons.

Non-discriminatory access to the Internet must apply uniformly across the entire EU. We reject measures by the telecommunications companies that threaten freedom of access.

We address in particular the current proposals of the European Commission (“Kroes Telecoms Package”) which abstains from a strong codification of the principle of net neutrality due to lobbying by service providers and telecommunications companies.

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### Upgrading of Net Infrastructure

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PIRATES strongly support the Europe-wide development of state of the art communications infrastructure. Our goal is to provide access to broadband for everyone in the EU.

While networks are improved and modernised, any monopoly over infrastructure must be avoided.



A Pirate Party activist and Governor, Ed Geraghty, at an event in Sheffield

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## Document Information

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### Current Version

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**Policy**<sup>α</sup>  
PIRATE PARTY

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### Pirate Party UK

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The Pirate Party UK is a political party registered at 26 Cleveland Street, Upperthorpe, Sheffield, S6 3JB, United Kingdom.

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## Media information

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